

Notice of Allowability

Application No.

10/059,524

Examiner

J. Allen Shriver

Applicant(s)

JACOBSON, JEFFREY D.

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/18/2004.
2. ☒ The allowed claim(s) is/are 11-17 and 19-21.
3. ☒ The drawings filed on 30 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>4/19/2004</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael Neustel on April 26, 2004.

The application has been amended as follows:

IN THE CLAIMS:

Claims 1-7 and 9-10 have been cancelled.

(Currently amended claim 11) A ski system comprising:

a base member having an upper surface, a pair of opposing side edges that are parallel to one another, and a lower surface;

a first sidewall extending from said base member, and a second sidewall extending from said base member, wherein said sidewalls include a plurality of apertures within for receiving a securing strap that secures a shoe upon said base member;

wherein said first sidewall and said second sidewall extend upwardly from said opposing side edges of said base member in parallel manner;

a securing structure attached to said upper surface of said base member for catchably receiving a shoe; and

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~~a plurality of gripping members attached to and extending downwardly from said lower surface, wherein each of said plurality of gripping members has a front portion for gliding upon a snow surface allowing forward movement and a rear portion for engaging said snow surface for preventing rearward movement, wherein said plurality of gripping members are aligned in three parallel rows along a longitudinal axis of said base member.~~

a plurality of gripping members that are wedged shaped having a front portion extending downwardly from the upper surface of the base to a rear portion located below the lower surface of the base to create an open cavity in the upper surface, wherein the front portion glides upon a snow surface to allow a forward movement and the rear portion engages said snow surface for preventing rearward movement; wherein said plurality of gripping members are aligned in three parallel rows along a longitudinal axis of said base member.

(Currently amended claim 21) A ski system comprising:

a base member having an upper surface and a lower surface;

a first sidewall extending from said base member, and a second sidewall extending from said base member, wherein said sidewalls include a plurality of apertures within for receiving a securing strap that secures a shoe upon said base member;

a securing structure attached to said upper surface of said base member for catchably receiving a shoe;

~~a plurality of gripping members attached to and extending downwardly from said lower surface, wherein each of said plurality of gripping members has a front portion for gliding upon a~~

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~~snow surface allowing forward movement and a rear portion for engaging said snow surface for preventing rearward movement;~~

a plurality of gripping members that are wedged shaped having a front portion extending downwardly from the upper surface of the base to a rear portion located below the lower surface of the base to create an open cavity in the upper surface, wherein the front portion glides upon a snow surface to allow a forward movement and the rear portion engages said snow surface for preventing rearward movement;

~~wherein said front portion is tapered upwardly and forwardly to said lower surface of said base member and wherein said front portion is curved upwardly and forwardly to said lower surface of said base member;~~

wherein said rear portion extends upwardly to said lower surface of said base member and wherein said rear portion extends upwardly and at a forward angle to said ~~lower surface of~~ said base member front portion;

wherein said base member includes a front lip curved upwardly;

wherein said rear portion is comprised of a closed structure;

wherein said plurality of gripping members are aligned in three parallel rows along a longitudinal axis of said base member;

wherein said securing structure is comprised of a receiver structure for receiving the rear portion of a shoe, a first strap attached to said first sidewall and a second strap attached to said second sidewall, wherein said straps may be connected about a front portion of said shoe; and wherein said straps are comprised of an elastic material.

Allowable Subject Matter

2. Claims 11-17 and 19-21 are allowed over the prior art. Regarding the allowability of claims 11 and 21, the prior art did not disclose wherein the plurality of gripping members are aligned in three parallel rows of equal number of gripping members along a longitudinal axis of said base member. Denning discloses a ski having gripping members running transverse along the bottom surface of the ski, but does not disclose the gripping members being aligned in three parallel rows. Rapin discloses a ski system comprising a base member (See Fig. 1) having an upper surface and a lower surface (See Fig. 2); a plurality of gripping members (2) attached to and extending downwardly from said lower surface, wherein each of said gripping members has a front portion for gliding (See Fig. 2) upon a snow surface allowing forward movement and a rear portion for engaging said snow surface for preventing rearward movement (See Fig. 2); wherein said plurality of gripping members are aligned in three parallel rows along a longitudinal axis of said base member (See Fig. 1). However, Rapin does not disclose wherein the plurality of gripping members that are wedged shaped having a front portion extending downwardly from the upper surface of the base to a rear portion located below the lower surface of the base to create an open cavity in the upper surface, wherein the front portion glides upon a snow surface to allow a forward movement and the rear portion engages said snow surface for preventing rearward movement.

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Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Allen Shriver whose telephone number is (703) 308-1224. The examiner can normally be reached on Mon-Thurs 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian L. Johnson can be reached on (703) 308-0885. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Allen Shriver
Examiner
Art Unit 3618

8AS 4/29/04
JAS


BRIAN L. JOHNSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600
4/30/04